

PromPony Privacy Policy - Website

This Privacy Policy sets out the basis on which we will process any Personal Data that we may collect about you as a visitor to our website at www.PromPony.com. This policy further sets out how we protect your privacy and your rights in respect of our use of your Personal Data.

WHO IS RESPONSIBLE FOR DATA PROCESSING?

The responsible party within the meaning of the APA and the GDPR is PromPony Enterprises Lessee Dancor Pty Ltd of National Offices, 660 Burwood Road, Hawthorn East, Victoria 3123, Australia ("PromPony", "we", "us", or "our"). If you have any questions about this policy or our data protection practices, please contact us using hello@PromPony.com.

WHAT IS PERSONAL DATA?

Personal data is any information that relates to an identified or identifiable living individual. Different pieces of information, which collected together can lead to the identification of a particular person, also constitute Personal Data.

WHY DO WE HAVE A PRIVACY POLICY?

Australia's Privacy Act and the 13 Privacy Principles ("APA") and the EU's General Data Protection Regulation ("GDPR") control how your Personal Data is used by us. In accordance with both we are required to explain which Personal Data we collect from you via our website, what we use it for, the third parties we share it with, when we delete it and how your data is protected.

WHAT ARE THE LEGAL BASES FOR PROCESSING PERSONAL DATA

All Personal Data that we obtain from you via our website will only be processed for the purposes described in more detail below. This is done within the framework of the APA and the GDPR and only if at least one of the following applies: a) you have given your consent, b) the data is necessary for the fulfilment of a contract / pre-contractual measures, c) the data is necessary for the fulfilment of a legal obligation, or d) the data is necessary to protect the legitimate interests of our company, provided that your interests are not overridden.

WHAT PERSONAL DATA DO WE COLLECT FROM YOU?

We may collect and process the following Personal Data about you:

a) Personal Data that you give us:

This is information about you that you give to us by filling in forms on our website (or other forms that we ask you to complete) or correspond with us. It may include, for example, your name, address, email address and telephone number; information about you and information about your requirements and interests.

b) Personal Data that our website and other systems collect about you:

If you visit our website it will automatically collect some information about you and your visit, including the Internet protocol (IP) address used to connect your device to the Internet and some other information such as the pages on our site that you visit. This is used to monitor the performance of the website and improve the experience of visitors to the website.

We use so-called cookies on our website. Cookies are pieces of information that are transmitted from our web server or third-party web servers to your web browser and stored there for later retrieval. Cookies may be small files or other types of information storage. As set out in the APA and the EU's Privacy and Electronic Communications Directive ("PECD"), we need to obtain consent for the use of Non-essential Cookies. For further information on the cookies we use, please refer to our Cookie Policy.

PromPony Privacy Policy - Website

c) Cookies

On this website we use so-called "cookies". Cookies are small text files that are stored in the memory of your device via your browser. Cookies store certain information (e.g., your preferred language or page settings) which can be sent back to us by your browser when you visit a website again (depending on the lifetime of the cookie).

Which cookies do we use?

We distinguish between two categories of cookies:

Essential or Necessary cookies. These cookies are essential or necessary to ensure that a website works properly and is secure so that you can navigate a website and use its features. Without these cookies, certain features of a website would not function, and thus you would not be able to use certain services.

Optional cookies. These cookies are non-essential for the website to function and require your consent. When it comes to optional cookies the following distinctions are made:

- *Functional cookies* or sometimes called convenience cookies. These cookies allow a website to remember the options a user has made and other personalisation options you have selected when browsing.
- *Analysis and performance cookies*, which are used to monitor and improve the function and service of a website. Those can track down problems when using a website, facilitate online surveys, record visitor numbers, and provide analytics metrics.
- *Advertising cookies or targeting cookies.* They are used to deliver customised advertising to the user.

Consent

Necessary cookies will always be active on your device, but we ask for your consent to optional cookies on your device. If at any time you want to change your cookie settings, including withdrawing your consent to this processing, we would encourage you to do this via the links below. You may need to refresh the page before the changes to the settings take effect.

The cookies we use

Google Analytics

We use Google Analytics, a web analysis service of [Google](#). Google Analytics uses a specific form of cookie, which is stored on your device and enables an analysis of your use of our website. The cookies set by Google Analytics for measurement are different for each visitor (i.e. there is not a single Google Analytics cookie ID that is used on all sites using Google Analytics). The information about your use of our website generated by the cookie is generally transmitted to a Google server in the USA and stored there.

Google uses this information on our behalf to analyse your use of this website in order to compile reports on website activities and provide additional services related to website and internet use. The IP address transmitted by your browser in the context of Google Analytics is not merged with other data. In the configuration of Google Analytics, we ensured that Google receives this data as a processor and is therefore not allowed to use this data for its own purposes. The legal basis for the processing is your consent.

PromPony Privacy Policy - Website

In relation to the data transfer into the USA Google's processing agreement for Google Analytics, can be read [here](#). You can disable tracking by Google Analytics with future effect by downloading and installing the Google Analytics Opt-out Browser Add-on for your current web browser following this [link](#).

Facebook Pixel

We also use the "Facebook pixels" of the social network [Facebook](#). With the help of the Facebook pixel, it is possible for Facebook to determine the visitors to our offer as a target group for the display of advertisements, so-called "Facebook ads". Accordingly, we use the Facebook pixel to display the Facebook ads placed by us only to those Facebook users who have also shown an interest in our website. This means that with the help of the Facebook pixel we want to ensure that our Facebook ads correspond to the potential interest of the users and do not have a harassing effect. With the help of the Facebook pixel, we can also track the effectiveness of the Facebook ads for statistical and market research purposes by seeing whether users were redirected to our website after clicking on a Facebook ad. You can object to the collection by the Facebook pixel and use of your data for the display of Facebook ads. To do so, you can visit the page set up by Facebook and follow the instructions [here](#).

How to block cookies and the consequences of this

If you want to block all cookies, you may be able to do this through the settings in your browser for each browser you use and each device you use to access the internet([Google Chrome](#), [Mozilla Firefox](#), [Microsoft Edge](#), [Opera](#), [Safari](#)).

We also offer a Cookie Consent Tool when you first visit our website. This tool allows you to specify your preference about cookies. You can accept or reject them or access this Cookie Policy before giving your consent to cookies or rejecting them. This permits you to make an informed decision about the cookies we use. You are free to accept or reject cookies, but note that after rejecting them, browsing our website might be less user-friendly and the relevant content might be affected.

In addition, if you do not wish to participate in advertising personalisation or retargeting/tracking you can object to behavioural advertising at the following websites: [Your Online Choices](#), [Digital Advertising Alliance of Canada](#), [Network Advertising Initiative](#), [AdChoices](#) the [European Interactive Digital Advertising Alliance \(Europe only\)](#), and [Google Ad Settings](#),

d) Other information:

We may also process aggregated data such as statistical or demographic data for any purpose including improving our website and services. Aggregated data could be derived from your Personal Data but is not considered Personal Data in law as this data will not directly or indirectly reveal your identity. However, if we combine or connect aggregated data with your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Privacy Policy.

DATA PROCESSING THROUGH THIRD-PARTY SERVICES

We use content or service offers of third-party providers on the basis of our legitimate interests in order to integrate their content and services ("content"). This always requires that the third-party providers of this content are aware of the IP address of the user, as without the IP address they would not be able to send the content to their browser. The IP address is therefore necessary for the display of this content.

HOW WILL WE USE YOUR PERSONAL DATA?

We may collect, store, and use your Personal Data for the following purposes:

PromPony Privacy Policy - Website

- to operate, manage, develop, and promote our business and, in particular, our relationship with you and related transactions including, for example:
 - marketing purposes (when we have either gathered prior opt-in consent and/or have a legitimate interest to send you communications which we believe to be relevant and of use to you);
 - accounting and billing / payment purposes;
 - to operate, administer and improve our website and shop and other aspects of the way in which we conduct our business and operations;
 - to offer you our services and products;
 - to provide you with services and products or information that you may have requested; and
 - to keep you informed and updated on relevant or services you may be interested in.
- to protect our business from fraud, money-laundering, breach of confidence, theft of proprietary materials and other financial or business crimes;
- to comply with our legal and regulatory obligations and bring and defend legal claims and assert legal rights; and
- if the purpose is directly connected with an assigned purpose previously made known to you.

We will only process your Personal Data as necessary so that we can pursue the purposes described above and where we have a legal basis for such processing. Where our lawful basis for processing is that such processing is necessary to pursue our legitimate interests, we will only process your Personal Data where we have concluded that our processing does not prejudice you or your privacy in a way that would override our legitimate interest. In exceptional circumstances we may also be required by law to disclose or otherwise process your Personal Data.

CHANGE OF PURPOSE

We will only use your Personal Data for the purposes for which we collected it as detailed above, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

DISCLOSURES OF YOUR PERSONAL DATA

Your Personal Data will be shared internally to ensure the efficient operation of our business (for instance, by sourcing our shared services in the most cost-effective way) and to provide the highest quality of client services.

Where required, we will (subject to applicable laws, our professional obligations and any terms of business which we may enter into with you) disclose your Personal Data to:

- any person or entity to whom we are required or requested to make such disclosure by any court of competent jurisdiction or by any governmental, taxation or other regulatory authority, law enforcement agency or similar body;
- provide our website and service;
- use marketing services and to advertise our services online;
- our professional advisers or consultants, including lawyers, bankers, auditors, accountants and insurers providing consultancy, legal, banking, audit, accounting or insurance services to us;
- any financial institutions providing finance to us;
- service providers who provide delivery services, information technology and system administration services to us; and

PromPony Privacy Policy - Website

- any external auditors who may carry out independent checks of your files.

We require any person or entity to whom we disclose Personal Data to respect the confidentiality and security of your Personal Data and to treat it in accordance with applicable laws and regulations. We do not allow such recipients of your Personal Data to use it for their own purposes, and we only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

International transfers

We may transfer your Personal Data to other companies as necessary for the purposes described in this Privacy Policy. In order to provide adequate protection for your Personal Data when it is transferred, we have contractual arrangements regarding such transfers. We take all reasonable technical and organisational measures to protect the Personal Data we transfer.

ADVERTISING

We would like to show you interesting advertising on our website and use Google AdSense for this purpose. Google AdSense places certain cookies and these collect and process information about your activities on our website. For further information, please refer to our Cookie Policy.

HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We will delete your Personal Data when we no longer need such Personal Data, for instance where:

- it is no longer necessary for us to retain your Personal Data to fulfil the purposes for which we had collected it;
- we believe that your Personal Data that we hold is inaccurate; or
- in certain cases where you have informed us that you no longer consent to our processing of your Personal Data.

Sometimes, however there are legal or regulatory requirements which may require us to retain your Personal Data for a specified period, and in such cases we will retain your Personal Data for such specified period; and we may need to retain your Personal Data for certain longer periods in relation to legal disputes, and in such cases we will retain it for such longer periods to the extent required.

HOW WE SECURE YOUR PERSONAL DATA

We take appropriate organisational, technical, and physical measures to help safeguard against accidental or unlawful destruction, loss, alteration, and unauthorised disclosure of, or access to, the Personal Data we collect and process. However, no method of collection, storage, or transmission is 100% secure. You are solely responsible for protecting your password, limiting access to your devices, and signing out of websites after your sessions.

LINKED SITES

For your convenience, there may be hyperlinks on our website that link to other websites. We are not responsible for, and this Privacy Policy does not apply to the privacy practices of any linked websites or of any companies that we do not own or control. The website links may collect information in addition to the information we collect.

We do not endorse any of these linked websites, their products, services, or any of the content on their websites. We encourage you to seek and read the Privacy Policy of each linked website that you visit to understand how the information that is collected about you is used and protected.

YOUR RIGHTS AND PRIVILEGES

a) *Privacy rights*

PromPony Privacy Policy - Website

You can exercise the following rights:

- *The right to access;*
- *The right to rectification;*
- *The right to erasure;*
- *The right to restrict processing;*
- *The right to object to processing;*
- *The right to data portability;*

b) Updating your information and withdrawing your consent

If you believe that the information we hold about you is inaccurate or request its rectification, deletion, or object to legitimate interest processing, please do so by contacting us.

c) Access Request

In the event you want to make a Data Subject Access Request, please contact us. We will respond to requests regarding access and correction as soon as reasonably possible. Should we not be able to respond to your request within thirty (30) days, we will tell you why and when we will be able to respond to your request. If we are unable to provide you with any Personal Data or to make a correction requested by you, we will tell you why.

d) Complaint to a supervisory authority

You have the right to complain about our processing of Personal Data to a supervisory authority responsible for data protection. The competent data protection authority in Australia is: The Office of the Australian Information Commissioner, GPO Box 5288 Sydney, NSW 2001, www.oaic.gov.au

e) What we do not do

- We do not request Personal Data from minors and children without their explicit consent and we request that they seek permission from their parent or legal guardian if under 16 years of age;
- We do not process special category data without obtaining prior specific consent; and
- We do not use Automated decision-making including profiling.

USER CONSENTS / MESSAGING

(Data rates may apply – check with your carrier)

By using the PromPony App you consent to us sending you messages, either by SMS, Chat, Email or other electronic means.

You can opt out of messages / limit frequency / control behaviour in your “Notification Settings” within the App and within the controls within your electronic devices.

Please note that some messaging is vital to the functioning of the App and your interaction with it, any restrictions you apply to your settings may degrade your user experiences or have unintended consequences.

The frequency of messages you receive reflects your activity levels within the PromPony App when communicating with other Users / Chat / Discussions, interacting with Service Providers or Advertisers.

PromPony as the Platform Provider may communicate with you electronically in any one of these forms, with Chat, SMS messages or emails, including (but not limited to):

MANDATORY MESSAGING CONSENTS

PromPony Privacy Policy - Website

(Frequency is Event driven / triggered and you cannot opt-out – you need to Delete the Account / App to stop these messages)

- App Signup validation of User Phone Number
- App Signup validation of User Email Address
- App Payments Functionality / validation of payment / banking details / transactional issues
- Dealing with reports of unsuitable platform behaviour
- Dealing with reports of illegal / fraudulent / misleading content
- Dealing with platform maintenance / outages / technical issues

OPTIONAL MESSAGING CONSENTS

(Frequency is estimated up to 5 times per week, and limitations can be User applied via 'Notification Settings')

- Advising of new updates / features
- Advising of promotions / campaigns / advertising / competitions
- Advising of Job Vacancies / Events
- Communicating on behalf of our Advertiser / Seller / Service Provider Community

You can opt out at any time by Deleting the Account / App as the messaging is a part of the functional value of the User Community. You can Block / Unblock any User at any time by going to the User Settings – “ Block / Unblock”

VALIDITY AND QUESTIONS

This Privacy Policy was last updated on Thursday, 22nd of August 2024, and is the current and valid version. However, from time to time changes or a revision to this policy may be necessary.

If you feel that the above is not sufficient or if you have any queries as regards the collection, processing or use of your information we are looking forward to hearing from you. We will make every effort to reply as soon as possible and take into consideration any suggestions from your end.